

**The FCA's response to the
Complaints Commissioner's Report**

FCA00053

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We have considered the final report of the Complaints Commissioner on complaint FCA00053.

The FCA welcomes the Commissioner's decision not to uphold the complaint. We note that the Commissioner has made recommendations which have been accepted and we are currently considering the appropriate next steps.

In relation to the Commissioner's commentary around comments made by Martin Wheatley on 17 March 2014, we note that the sentence quoted by the complainant was not a public statement but a response by Mr Wheatley's office to an email exchange with a private correspondent. Our subsequent public correspondence in early 2015, clarified our position that it was not for the FCA but for the courts to decide whether LBG's interpretation of the relevant contractual provision was legally correct.